THE INDIAN TRADE UNIONS ACT, 1926 (XVI OF 1926). †

G. N., P. & S. D., No. 929/34/(1), dated 9th May 1938 (B. G., Pt. IV-A, p. 635). S. 3

In exercise of the powers conferred by section 3 of the Indian Trade Unions Act, 1926 (XVI of 1926), and in supersession of Government Notification in the General Department, No. 6377, dated the 23rd May 1927, the Government of Bombay is pleased to appoint the Commissioner of Labour and Director of Information to be the Registrar of Trade Unions for the State of Bombay.

G. N., Lab. & H. D., No. 1781/48, dated 26th May 1952 (B. G., Pt. IV-A, p. 563). S.

Whereas by the Government of India, Ministry of Labour, Notification No. L.R. 26(74), dated the 26th February 1952, issued in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has entrusted *inter alia* to the Government of each Part A State, with its consent, the functions of the Central Government under the Indian Trade Unions Act, 1926 (XVI of 1926), in relation to trade unions whose objects are not confined to, and whose head office is situated in, that State;

Now, therefore, in exercise of the functions of the Central Government under section 3 of the said Act, so entrusted, and in supersession of the Government Notification in the Political and Services Department, No. 3841/34, dated the 19th May 1941, the Government of Bombay is pleased to appoint the Registrar of Trade Unions for the State of Bombay to be the Registrar of Trade Unions also in relation to trade unions whose objects are not confined to, and whose head office is situated in, the State of Bombay.

G. N., G. D., No. 6377-A, dated 27th June 1927 (B. G., Pt. I, p. 1630). S. 11 (1)

In exercise of the powers conferred by sub-section (*1*) of section 11 of the Indian Trade Unions Act, 1926 (XVI of 1926), the Governor in Council is pleased to appoint all District and Joint Judges and all Assistant Judges who exercise appellate jurisdiction under section 17 of the Bombay Civil Courts Act, 1869 (XIV of 1869), to hear appeals under section 11 of the Indian Trade Unions Act, 1926.

G. N., Lab. D., No. 610/46, dated 13th February 1950 (B. G., Pt. IV-A, p. 108). S. 11 (1) (b)

In exercise of the powers conferred by clause (*b*) of sub-section (*1*) of section 11 of the Indian Trade Unions Act, 1926 (XVI of 1926), the Government of Bombay is pleased to appoint District Courts established under section 3 of the Bombay Civil Courts Act, 1869 (XIV of 1869), for the purpose of the said clause for the areas comprised within their respective jurisdictions.

G. N., G. D., No. 6377, dated 21st May 1927 (B. G., Pt. I, p. 1362). S. 29 Bombay Trade Unions Regulations, 1927.

Amended by G. N., P. D., No. 7233, dated 10th April 1938.
Amended by G. N., P. & S. D., No. 929/34(3), dated 15th August 1938.
Amended by G. N., P. & S. D., No. 2498/34, dated 12th June 1939.

In exercise of the powers conferred by section 29 of the Indian Trade Unions Act, 1926 (XVI of 1926), the Governor in Council is pleased to make the following

† For entrustment of functions of the Central Government under the Act, *see* G. of I., Dept. of Lab., Notf. No. L. 3006, 16th Jan. 1941, under section 124 of the Govt. of India Act, 1935.

regulations with effect from the 1st June 1927 for the purpose of carrying into effect the provisions of the said Act :—

BOMBAY TRADE UNIONS REGULATIONS, 1927.

1. *Short title*.—These regulations may be called the Bombay Trade Unions Regulations, 1927.

1A. *Extent*.—They shall extend to trade unions whose objects are confined to the State of Bombay.

2. *Definitions*.—In these regulations—

(*a*) "the Act" means the Indian Trade Unions Act, 1926;

(*b*) "Form" means a form appended to these regulations;

(*c*) "Section" means a section of the Indian Trade Unions Act, 1926.

3. *Form of application for registration*.—Every application for registration of a Trade Union shall be made in Form A.

4. *Evidence to prove authority to make application*.—Upon an application for the registration of a Trade Union, the Registrar may require from the applicants such evidence as may seem to him necessary to show that the applicants have been duly authorised to make the application on behalf of the Trade Union.

5. *Form of register*.—The register of Trade Unions referred to in section 8 shall be maintained in Form B.

6. *Form of certificate*.—The certificate of registration issued by the Registrar under section 9 shall be in Form C.

7. *Fee for registration*.—The fee payable on registration of a Trade Union shall be as follows :—

Rs. 5 for a Trade Union with a membership of 1,000 or over.

Rs. 2 for a Trade Union with a membership of less than 1,000.

WITHDRAWAL OR CANCELLATION OF CERTIFICATE OF REGISTRATION.

8. (1) *Form of application for withdrawal or cancellation*.—Every application by a Trade Union for withdrawal or cancellation of its certificate of registration shall be sent to the Registrar in Form D.

(2) *Verification of application*.—The Registrar on receiving an application for withdrawal or cancellation of registration shall, before granting the application, verify that the application was approved in a general meeting of the Trade Union, or if it was not so approved, that it has the approval of a majority of the members of the Trade Union. For this purpose the Registrar may call for such further particulars as he may deem necessary and may examine any officer of the Union.

9. *Appeals*.—Any appeal made under sub-section (*1*) of section 11 shall be filed within ninety days of the date on which the Registrar passed the order against which the appeal is made.

10. *Change of address of head office of a Trade Union.*—Notice of any change in the address of the head office of a Trade Union shall be given to the Registrar in Form G.

*11. [*Deleted.*]

12. *Alteration of rules.*—(1) On receiving a copy of any alteration made in the rules of a Trade Union under sub-section (*3*) of section 28, the Registrar shall, unless he has reason to believe that the alteration has not been made in the manner provided by the rules of the Trade Union or unless the alteration is not in accordance with the provisions of the Act, register the alteration in a register to be maintained for this purpose and shall notify the fact that he has done so to the Secretary of the Trade Union.

(2) The fee payable for registration of alterations of rules shall be Re. 1 for each set of alterations made simultaneously.

13. *Change of name.*—(1) The notice of any change of the name, of a Trade Union shall be sent to the Registrar in Form E.

(2) When the Registrar registers a change of name under section 25, sub-section *3*), he shall certify under his signature, at the foot of the certificate issued under egulation 6, that the new name has been registered. The Secretary shall present the certificate to the Registrar for making this entry.

14. *Amalgamation of Trade Unions—Form of Notice.*—Notice of every amalgamation shall be sent to the Registrar in duplicate in Form F.

15. *Dissolution of registered Trade Unions.*—When a registered Trade Union is dissolved, notice of the dissolution shall be sent to the Registrar in Form H.

16. *Division of funds.*—Where it is necessary for the Registrar, under sub-section (*2*) of section 27, to distribute the funds of a registered Trade Union which has been dissolved, he shall divide the fund among the members in proportion to the amounts contributed by them by way of subscription during their membership.

17. *Annual returns.*—The general statement to be furnished under section 28 shall be submitted to the Registrar by the 31st day of July in each year and shall be in Form I.

18. *Audit.*—(1) Save as provided in sub-regulations (2), (3), (4) and (5) of this regulation, the annual audit of the accounts of any registered Trade Union shall be conducted by an auditor authorized to audit the accounts of companies under sub-section (*1*) of section 144 of the Indian Companies Act, 1913.

(2) Where the membership of a registered Trade Union did not, at any time during the year ending on the 31st March, exceed 2,000 the annual audit of the accounts may be conducted—

(*a*) by an examiner of local funds accounts, or

(*b*) by any local fund auditor appointed by the Central Government, or

(*c*) by any person who, having held an appointment under the Central Government in any audit or accounts department, is in receipt of a pension of not less than Rs. 200 per mensem.

(3) Where the membership of a registered Trade Union did not, at any time during the year ending on the 31st day of March, exceed 1,000 the annual audit of the accounts may be conducted—

(*a*) by any two persons holding office as a magistrate or a judge or as a councillor of any municipality or member of a district local board, or of the State Legislature, or of Parliament;

*Regulation No. 11 was deleted by Notn. No. 922/343 (3), P. & S. D., 15th Aug. 1938.

(*b*) by any person who, having held an appointment under the Central Government in any audit or accounts department, is in receipt of a pension from the Central Government of not less than Rs. 75 a month ; or

(*c*) by any auditor appointed to conduct the audit of co-operative societies by Government or by the Registrar of Co-operative Societies or by any State co-operative organization recognized by Government for this purpose.

(4) Where the membership of a registered Trade Union did not, at any time during the year ending on the 31st March, exceed 500, the annual audit of the accounts may be conducted by any two members of such registered Trade Unions.

(5) Where the registered Trade Union is a federation of Trade Unions, and the number of such Unions affiliated to it at any time during the year ending on the 31st March did not exceed 50, 15 or 5 respectively, the audit of the accounts of the federation may be conducted as if it had not at any time during the year had a membership of more than 2,000, 1,000 or 500 respectively.

19. *Disqualification of auditors.*—Notwithstanding anything contained in regulation 18, no person who at any time during the year for which the accounts are to be audited was entrusted with any part of the funds or securities belonging to a registered Trade Union shall be eligible to audit the accounts of that Union.

20. The auditor or auditors appointed in accordance with these regulations shall be given access to all the books of the registered Trade Union concerned and shall verify the general statement submitted under section 28 with the accounts and vouchers relating thereto, and shall thereafter sign the auditor's declaration appended to Form I, indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, not supported by vouchers or not in accordance with the Act. The particulars given in the statement shall indicate—

(*a*) every payment which appears to be unauthorised by the rules of the registered Trade Union concerned, or contrary to the provisions of the Act,

(*b*) the amount of any deficit or loss which appears to have been incurred by the negligence or misconduct of any person,

(*c*) the amount of any sum which ought to have been but is not brought to account by any person.

21. *Audit of political fund.*—The audit of the political fund of a registered Trade Union shall be carried out along with the audit of the general account of the registered Trade Union by the same auditor or auditors.

22. *Inspection of register and documents.*—(1) The register of Trade Unions maintained in accordance with regulation 5 shall be open to inspection by any person on payment of a fee of annas eight.

(2) Any documents in the possession of the Registrar received from a registered Trade Union may be inspected by any member of that Union on payment of a fee of annas eight for each document inspected.

(3) Documents shall be open to inspection every day on which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

FORM A.

TRADE UNIONS ACT, 1926.

Application for Registration of Trade Unions.

Name of Trade Union : Address :

Dated the day of 19 .

1. This application is made by the persons whose names are subscribed at the foot hereof.

2. The name under which it is proposed that the Trade Unions on behalf of which this application is made shall be registered is .....as set forth in Rule No. .....

3. The address of the Head Office of the Union to which all communications and notices may be addressed is .....

4. The .....Union came into existence on the.....day of .....19 .

5. The Union is a union of employers/workers engaged in the ..... industry/*or* .....profession/*or* .....(establishment) and has .....members.

6. The particulars required by section 5 (*1*) (*c*) of the Indian Trade Unions Act, 1926, are given in Schedule I.

7. The particulars given in Schedule II show the provisions made in the rules for the matters detailed in section 6 of the Indian Trade Unions Act, 1926.

8. (To be struck out in the case of Unions which have not been in existence for one year before the date of application.) The particulars required by section 5 (*2*) of the Indian Trade Unions Act, 1926, are given in Schedule III.

9. One copy of the Rules of the Union is attached to this application.

10. We have been duly authorised by the Trade Union to make this application on its behalf, such authorisation consisting of*

——		Signature	Occupation	Address
(Signed)	1	....		
	2	....		
	3	....		
	4	....		
	5	....		
	6	....		
	7	....		

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Bombay.

* State here whether the authority to make this application was made by a " resolution of a general meeting of the Trade Union " or, if not, in what other way it was given.

FORM A—*contd.*

SCHEDULE I.

TRADE UNIONS ACT, 1926.

List of Officers.

Name of Trade Union.

Office held in Union	Name	Age	Address	Occupation

SCHEDULE II.

Reference to rules.

The numbers of the rules making provisions for the several matters detailed in column 1 are given in column 2 below :—

1 Matter.	2 Number of rules.
Name of Union	
The whole of the objects for which the Union has been established.	
The whole of the purposes for which the general funds of the Union shall be applicable.	
The maintenance of a list of members	
The facilities provided for the inspection of the list of members by officers and members.	
The admission of ordinary members	
The admission of honorary or temporary members ..	
The conditions under which members are entitled to benefits assured by the rules.	
The conditions under which fines or forfeitures can be imposed or varied.	
The manner in which the rules shall be amended, varied or rescinded.	
The manner in which the members of the executive and the other officers of the union shall be appointed and removed.	
The safe custody of the funds	
The annual audit of the accounts	
The facilities for the inspection of the account books by officers and members.	
The manner in which the union may be dissolved.	

FORM A—*concld.*

SCHEDULE III.

(This need not be filled in if the Union came into existence less than one year before the date of application for Registration.)

Statement of Liabilities and Assets on the day of 19 .

Liabilities.	Rs. a. p.	Assets.	Rs. a. p.
Amount of general fund ..		Cash :—	
Amount of political fund ..		In hands of Treasurer ..	
		In hands of Secretary ..	
		In hands of ..	
Loans from—		In the Bank ..	
		In the Bank ..	
Debts due to		Securities as per list below.	
		Unpaid subscriptions due.	
Other liabilities (to be specified).		Loans to—	
		Immoveable property ..	
		Goods and furniture ..	
		Other assets (to be specified).	
Total Liabilities ..		Total Assets ..	

Lists of Securities.

Particulars	Face value	Cost price	Market value	In hands of

(Signed) 1.
2.
3.
4.
5.
6.
7.

FORM B.

Name of Trade Union
Registration Number
Address of Head Office

Date of Registration
Number of application form

Remarks :—

Subsequent changes of the address of the Head Office—

1.
2.
3.
4.
5.
6.
7.
8.

Names of Members making application—

1.
2.
3.
4.
5.
6.
7.
8.

Officers (Transfers from one post to another count as relinquishment of appointment held).

Year of entering on office	Name	Office held in Union	Age on entry	Address	Occupation	Year of relinquishing Office	Other offices held in addition to membership of executive with dates

FORM C.

TRADE UNIONS ACT, 1926.

Certificate of Registration of Trade Union.

Name of Trade Union
Registration Number

Office of the Registrar of Trade Unions :
Secretariat, Fort, Bombay.

It is hereby certified that the Union has been registered under the Indian Trade Unions Act, 1926, this day of 19 .

Seal.

Registrar of Trade Unions
for the State of Bombay.

FORM D.

TRADE UNIONS ACT, 1926.

Request to withdraw or cancel Certificate of Registration.

Name of Trade Union

Registration Number

Address :

Dated the day of 19

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Bombay.

The abovementioned Trade Union desires that its certificate of registration under the Trade Unions Act, 1926, may be withdrawn (*or* cancelled) and at a general meeting* duly held on the day of 19 it was resolved as follows :—

(Here give exact copy of Resolution.)

(Signed)

FORM E.

TRADE UNIONS ACT, 1926.

Notice of Change of Name.

Name of Trade Union already registered

Registration Number

Address :

Dated this day of 19

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Fort, Bombay.

Notice is hereby given that the provisions of section 23 of the Trade Unions Act having been complied with the name of the abovementioned Trade Union has been changed to . The consent of the members was obtained by †

(Signed) 1. Secretary.
2.
3.
4.
5. Members.
6.
7.
8.

* If not at a general meeting, state in what manner the request has been determined upon.

† *i.e.*, by referendum, resolution of a general meeting, etc. If procedure followed is covered by rule quote number of the rule.

FORM F.

TRADE UNIONS ACT, 1926.

Notice of Amalgamation of Trade Unions.

A. Name of Registered Trade Union
Number of Registration

B. Name of Registered Trade Union
Number of Registration

(and so on if more than two).

Address :

Dated the day of 19 .

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Fort, Bombay.

Notice is hereby given that in accordance with the requirements of section 24 of the abovementioned Act the members of each (or every one) of the abovementioned Trade Unions have resolved to become amalgamated together as one Trade Union.

And that the following are the terms of the said amalgamation (*state the terms*).

And that it is intended that the Trade Union shall henceforth be called the

Accompanying this notice is a copy of the rules intended to be henceforth adopted by the Amalgamated Trade Union which are the rules (if so) of the Union.

(To be signed by seven members and the Secretary of each Trade Union.)

Name and address to which registered copy is to be sent.

(Signed) 1 Secretary

2
3
4
5 } Members.
6
7
8

FORM G.

TRADE UNIONS ACT, 1926.

Notice of change of address of the Head Office of a Registered Trade Union.

Name of Trade Union
Registration Number

Address :

Date this day of 19

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Fort, Bombay.

Notice is hereby given that the Head Office of the abovementioned Trade Union has been removed from and is now situated at in City (*or* town, *or* District).

(Signed)

Secretary.

This Part to be detached by the Registrar when the notice is registered, and returned to the Trade Union.

Received this day of 19 notice of removal of the Head Office of the Register No. to City (*or* town, *or* District).

Seal.

(Signed)

Registrar of Trade Unions
for the State of Bombay.

FORM H.

TRADE UNIONS ACT, 1926.

Notice of the Dissolution of a Trade Union.

Name of Trade Union
Registration Number

Address :

Dated this day of 19

To

The Registrar of Trade Unions for the State of Bombay,
Secretariat, Fort, Bombay.

N ice is hereby given that the abovementioned Trade Union was dissolved in pursuance of the rules thereof on the day of 19

We have been duly authorised by the Union to forward this notice on its behalf, such authorisation consisting of a resolution passed at a general meeting on the* day of 19 .

(Signed) 1. Secretary.
2.
3.
4.
5. Members.
6.
7.
8.

FORM I.

Annual Return prescribed under section 28 of the Indian Trade Unions Act, 1926, for the year ending 31st March 19 .

Name of Union

Registered Head Office

Number of certificate of registration

Return to be made by federations of trade unions.

A. Number of unions affiliated at beginniug of year†
B. Number of unions joining during year†
C. Number of unions disaffiliated during year†
D. Number of unions affiliated at end of year.

This return need not be made by federations of trade unions.

Number of members on books at the beginning of year.
Number of members admitted during the the year (add)
Together
Number of members who left during the year (deduct)
Total number of members on books at the end of the year.
Males.
Females.
Number of members contributing to Political Fund.

A copy of the rules of the Trade Union corrected up to the date of despatch of this return is appended.

Dated the

Secretary.

---

* Here insert the date, or if there was no such resolution, state in what other way the authorisation was given.

† The names of the affiliated and disaffiliated unions should be given in separate statements marked 'A', 'B' and 'C'.

Statement of Liabilities and Assets on the day of 19 .

Liabilities.	Rs. a. p.	Assets.	Rs. a. p.
Amount of general fund ...		Cash— ...	
Amount of political fund ...		In hands of Treasurer ...	
Loans from— ...		In hands of Secretary ...	
		In hands of ...	
		In the Bank ...	
		In the Bank ...	
Debts due to— ...		Securities as per list below ...	
		Unpaid subscriptions due ...	
		Loans to—	
Other liabilities (to be specified)			
		Immoveable property ...	
		Goods and furniture ...	
		Other assets (to be specified)	
Total liabilities ...		Total assets ...	

List of Securities.

Particulars	Face value	Cost price	Market price at date on which accounts have been made up	In hands of

Treasurer.

General Fund Account.

Income.	Rs. a. p.	Expenditure.	Rs. a. p.
Balance at beginning of year.		Salaries, allowances and expenses of officers.	
Contributions from members at per member.		Salaries, allowances and expenses of establishment.	
Donations ...		Auditors fees ...	
Sale of periodicals, books, rules, etc.		Legal expenses ...	
Interest on investments ...		Expenses in conducting trade disputes.	
Income from miscellaneous sources (to be specified).		Compensation paid to members for loss arising out of trade disputes.	
		Funeral, old age, sickness, unemployment benefits, etc.	
		Educational, social and religious benefits.	
		Cost of publishing periodicals...	
		Rents, rates and taxes ...	
		Stationery, printing and postage	
		Expenses incurred under section 15 (*j*) of the Indian Trade Unions Act, 1926 (to be specified).	
		Other expenses (to be specified).	
		Balance at end of year ...	
Total ...		Total ...	

Political Fund Account.

	Rs. a. p.		Rs. a. p.
Balance at beginning of year		Payments made on objects specified in section 16 (2) of the Indian Trade Unions Act, 1926 (to be specified).	
Contributions from members at per member.		Expenses of management (to be fully specified).	
		Balance at end of year ...	
Total ...		Total ...	

Treasurer.

Auditor's Declaration.

The undersigned, having had access to all the books and accounts of the Trade Union, and having examined the foregoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct, duly vouched and in accordance with the law, subject to the remarks, if any, appended hereto.

Auditor.

Auditor.

The following changes of officers have been made during the year :—

Officers Relinquishing Office.

Name.	Office.	Date of relinquishing office.

Officers appointed.

Name.	Date of birth.	Private address.	Personal occupation.	Title of position held in union.	Date on which appointment in column 5 was taken up.	Other offices held in addition to membership of executive with dates.
1	2	3	4	5	6	7

S. 29 Bombay Trade Unions (Recognition) Regulations, 1948.

G. N., Lab. D., No. 610/46, dated 14th July 1948 (B. G., Pt. IV-A, p. 284).

Amended by G. N., Lab. D., No. 610/46, dated 29th September 1949.

In exercise of the powers conferred by section 29 of the Indian Trade Unions Act, 1926 (XVI of 1926), the Government of Bombay is pleased to make the following additional regulations for the purpose of carrying into effect the provisions of Chapter IIIA of the said Act, namely :—

BOMBAY TRADE UNIONS (RECOGNITION) REGULATIONS, 1948.

General.

1. *Short title and extent.*—(1) These regulations may be called the Bombay Trade Unions (Recognition) Regulations, 1948.

(2) They shall extend to every trade union whose objects are confined to the State of Bombay, provided that such union does not consist of workmen employed by the Central Government, or by a railway administration or in a major port, mine or oil field.

2. *Definitions.*—In these regulations, unless there is anything repugnant in the subject or context,—

(*a*) "the Act" means the Indian Trade Unions Act, 1926;

(*b*) "Court" means a Labour Court appointed under sub-section (*1*) of section 28B of the Act;

(*c*) "Form" means a form appended to these regulations;

(*d*) "Judge" means a Judge appointed to preside over a Court;

(*e*) "Schedule" means the schedule appended to these regulations;

(*f*) "Section" means a section of the Act.

Procedure for Labour Courts.

3. (1) Any application under section 28E, 28G or 28H may be sent to the Court by registered post or be presented to the Court or to the Court-clerk authorised by the Judge in this behalf and shall be made in duplicate.

(2) The application under section 28E for grant of recognition shall be in Form "A"; the application under section 28H for grant of fresh recognition in Form "AA" and the application under section 28G for withdrawal of recognition in Form "B".

4. If it appears to the Court on receiving any such application that it should be presented to another Court, the Judge shall return it to the applicant after endorsing upon it the date of the presentation and return, the reasons for returning it and the Court to which it should be presented.

5. If an application is not in order by reason of any formal defect therein the Judge may return it to the applicant for remedying the defect within a specified time.

6. If the Judge thinks that an application may be fixed for preliminary hearing, he shall cause notice in Form "C" to be served on the applicant directing him to appear before him at the time and place mentioned therein to show cause why the application may not be summarily dismissed.

7. If any of the parties applies for determining certain preliminary issues, the Judge may proceed to determine such issues after issuing notice to the opposite party.

8. If an application is not summarily dismissed, the Judge shall cause notice in Form "D" to be given to the opponent directing him to file a written statement within a specified time.

9. After all the statements required to be filed by the parties are received or after the expiry of the date for filing the statements, the Judge shall give notice in Form "E" to the parties to appear before him at such time and place as may be mentioned therein.

10. (1) In any proceeding before the Court, parties may appear in person or through any other person or by a duly authorised counsel, attorney, advocate, pleader or a representative, as the case may be.

(2) Every person except a counsel authorised to appear shall file a memorandum of appearance in Form "F" signed by the person authorising him.

11. Whenever the Court, either of its own motion or on the application of any party, thinks it necessary to examine any witness, it shall issue a summons in Form "G" to the witness. When the witness summons is issued on the application of any party the process fee prescribed in the Schedule shall be charged.

12. Every summons, notice, warrant or other process and every order or certified copy of any document shall be signed by the Judge with the date of signing and shall be sealed with the official seal of the Court.

13. The service of every summons, notice, warrant or order shall be effected by hand delivery or through registered post as may be expedient or as provided in Order V in the First Schedule to the Code of Civil Procedure, 1908.

14. When any fact is to be proved by an affidavit, it shall (1) be drawn in Form "H", (2) be stamped as prescribed in the Schedule, and (3) be sworn or affirmed in the presence of the Judge or the Court-clerk who may be authorised in writing by the Judge in this behalf.

15. Each witness shall give his evidence on oath or solemn affirmation, as the case may be, and shall give the following particulars, viz., (1) his name, (2) age, (3) occupation, (4) place of residence, and (5) religion, if any.

16. The Court may accept, admit or call for any evidence at any stage and in any manner as it thinks fit.

17. The Judge or any other person authorised in writing by him in this behalf may at any time during the pendency of an application enter any building, factory, workshop or other premises whatsoever and inspect any records therein or interrogate any person therein in respect of any matter relating to the subject matter of the application.

18. The Judge shall send a certified copy of an order made by him to the parties concerned, to the State Government and to the Registrar. Any additional copy required by the parties shall be supplied at the cost prescribed for certified copies of documents in the Schedule. Certified copies of any documents may also be supplied at the cost prescribed in the Schedule.

19. The Court may correct in any order any clerical mistake or error arising from an accidental slip or omission.

MISCELLANEOUS.

20. (1) On receipt of a memorandum of agreement under section 28C (*1*) regarding the recognition of a trade union, the Registrar shall record the memorandum in the register maintained in Form "I" and intimate the date of recording it to the parties concerned.

(2) The Registrar shall also record the order made by the Court under section 28E (*5*) in the register maintained in Form "J".

21. (1) The application for revocation of an agreement granting recognition to a trade union under section 28C (*2*) shall be in Form "K". A copy of such application shall be sent by the party making the application to the other party to the agreement. On receipt of such application, the Registrar shall cancel the memorandum of agreement and relevent entries in the register in Form "I" under his signature with the date of signing and send an intimation to that effect to the parties concerned.

(2) The Registrar shall also cancel the entries in the register in Form "J" on receipt of an order made by the Court withdrawing recognition of a union under section 28G (*3*).

22. The notice under section 28E (*4*) shall be in Form "E".

23. For the purpose of sub-section (*4*) of section 28E, the proportion, which the number of the workmen referred to in clause (*b*) of section 28D who are members of the trade union and are not in arrears of their subscription for any period exceeding three months shall bear to the total number of such workmen, shall be as specified below :—

1 Total number of workmen.	2 Membership of union compared to the total number of workmen expressed as a percentage.
Up to 1,000	33⅓
1,000 and above but less than 2,500	25
2,500 and above but less than 5,000	20
5,000 and above but less than 10,000	15
10,000 and above but less than 25,000	12½
25,000 and above	10

24. The notice referred to in section 28G (*2*) shall be in Form "L".

25. Every recognised trade union shall on or before the 20th day of every month forward by registered letter or present in person to the Registrar a return in Form "M" giving the required information for the previous month.

FORM "A".

[*See* regulation 3 (2).]

APPLICATION FOR RECOGNITION OF TRADE UNION.

In the Labour Court at.....

Application No.....of 19 .

Name of Trade Union..... .....

Address.....

The undersigned begs respectfully to submit that at a $\frac{\text{General meeting of the members}}{\text{meeting of the Executive}}$ of the above union held at.....on the.....day of..... .....19.... it was decided that the union should apply for recognition by.... ....*..... A copy of the resolution in this behalf signed by the $\frac{\text{President of the Union}}{\text{Chairman of the Executive}}$ is attached. The applicant requests that the union may be granted recognition as provided in section 28E of the Indian Trade Unions Act, 1926.

2. The union is registered under the Indian Trade Unions Act, 1926, under certificate No.....dated..... and has.....members in the employ of.....*..... .....in.....industry/industries and represents.....per cent. of the total number of workmen employed by.....*.....in that industry/ those industries.

3. A copy of the constitution of the union is attached.

4. The union had applied to.....*.....for recognition on.....but has failed to obtain recognition.

5. The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. This verification is signed at..... .....on.....day of .....19 .

Signature of the $\frac{\text{President}}{\text{General Secretary}}$ of the Union.

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* Here name of the employer or employers.

FORM "AA".

[*See* regulation 3 (2).]

APPLICATION FOR FRESH RECOGNITION OF TRADE UNION.

In the Labour Court at.....

Application No. of 19 .

Name of Trade Union.....

Address.....

The undersigned begs respectfully to submit that the recognition of the above union by.....*.....was withdrawn by order made by the Labour Court at.....No.....dated.....

2. The undersigned begs to state that at a $\frac{\text{General meeting of the members}}{\text{meeting of the Executive}}$ of the above union held at.....on the.....day of .....,19 it was decided that the union should apply again for recognition by.....*..... A copy of the resolution in this behalf signed by the $\frac{\text{President of the Union}}{\text{Chairman of the Executive}}$ is attached. The applicant requests that the union may be granted fresh recognition as provided in section 28H of the Indian Trade Unions Act, 1926.

3. The union is registered under the Indian Trade Unions Act, 1926, under certificate No.....dated.....and has..... members in the employ of.....*.....in.....industry/ industries and represents.....per cent. of the total number of workmen employed by.....*.....in that industry/those industries.

4. A copy of the constitution of the union is attached.

5. The union had applied to.....*.....for recognition on.....but has failed to obtain recognition.

6. The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. This verification is signed at.....on.....day of.....19 .

Signature of the $\frac{\text{President}}{\text{General Secretary}}$ of the Union.

* Here name of the employer or employers.

FORM "B".

[*See* regulation 3 (2).]

APPLICATION FOR WITHDRAWAL OF RECOGNITION OF TRADE UNION.

In the Labour Court at.....

Application No. of 19 .

.....Applicant

Address

versus

.....Opponent

Address

The applicant abovenamed begs to state as follows :—

(*a*) that

(*b*) that

(*c*) that

The applicant therefore prays that the Court may be pleased to order withdrawal of recognition of.....by.....on the following grounds, namely :—

The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. This verification is signed at..... on.....day of.....19 .

Signature of Registrar of Trade Unions. / Employer.

FORM "C".

(*See* regulation 6.)

NOTICE OF PRELIMINARY HEARING.

In the Labour Court at.....

No. of 19

In the matter of

Notice.

Please take notice that the above matter will be taken up for hearing before me at.....on.....in..... You are hereby required to appear in person or through any other person or by a duly authorised counsel, attorney, advocate, pleader or a representative, as the case may be, at the aforesaid time and place and to show cause, if any, why the above matter should not be summarily dismissed.

Seal.

No.

Office of the Labour Court
day of 19

Judge,
Labour Court.

To

FORM "D".

(*See* regulation 8.)

NOTICE TO FILE WRITTEN STATEMENT.

In the Labour Court at.....

Application No. of 19 .

Applicant ;

Address—

versus

Opponent.

Address—

In the matter of

Notice.

Whereas abovenamed has filed an application in this Court, a copy whereof is enclosed herewith, notice is hereby given to you that if you so desire, two copies of your written statement may be filed in this office on or before 19 and that a copy thereof may be supplied to the abovenamed and that the undersigned may be informed that this has been done.

2. The time and the place of hearing will be announced later.

Seal.

Judge,
Labour Court.

No.....

Office of the Labour Court,

.....day of.....19.....

To

FORM "E".

(*See* regulations 9 and 22.)

NOTICE OF HEARING.

In the Labour Court at .....

Application No. of 19 .

In the matter of

Notice.

Whereas the above matter has been admitted to the file, please take notice that the said matter will be taken up for hearing at.....or at such time immediately thereafter according to the convenience of the Court on.....

in.....You are hereby required to appear in person or through any other person or by a duly authorised counsel, attorney, advocate, pleader or a representative, as the case may be, at the aforesaid time and place and to continue to remain present until the said matter has been finally disposed of and to produce before the said Court on those days all books, documents, etc., which may be in your possession or under your control and in any way relating to the matters in dispute and witnesses, if any.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

.....day of.....19.....

To

FORM "F".

[*See* regulation 10 (2).]

MEMORANDUM OF APPEARANCE.

In the Labour Court at.....

No. of 19 .

In the matter of

Address.....

I/We have appointed Mr.....to appear for me/us in the above matter.

Dated this.....day of.....19 .

Signature(s) of the employer or duly authorised representative(s) of the union.

Accepted

(Signature)

FORM " G ".

(*See* regulation 11.)

SUMMONS TO WITNESS.

In the Labour Court at .....

No. of 19 .

In the matter of

Summons.

Whereas the above application willbe taken up for hearing at..... .....on.....in.....And whereas your presence is necessary, you are hereby summoned to appear in person before me at the aforesaid time and place and to give evidence, to answer all material questions and to produce all books, documents, etc., which may be in your possession or under your control and in any way relating to the matters in dispute and to continue to remain present until you are discharged.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,

.....day of 19

To

FORM " H ".

(*See* regulation 14.)

FORM OF AFFIDAVIT.

In the Labour Court at.....

No. of 19 .

I (name) .....
beg to state on oath/solemn affirmation as follows :—

(1) that

(2) that

Identified by

Signature.

Before me,

Judge,
Labour Court.

FORM " I ".

[*See* regulation 20 (1).]

FORM OF REGISTER FOR RECORDING MEMORANDA OF AGREEMENTS.

Registration No. of Memorandum of agreement.

Name of the Trade Union .. ..

Name(s) of the employer/employers by whom the union has/have been recognised.

Date of recognition .. ..

Date of registration of Memorandum of agreement.

Registrar of Trade Unions for
the State of Bombay.

FORM " J ".

[*See* regulation 20 (2).]

FORM OF REGISTER FOR RECORDING ORDERS FOR RECOGNITION OF THE LABOUR COURT.

Order made by the Labour Court at ..

Number and date of the order ..

Date of receipt of the order ..

Name of the Trade Union which has been granted recognition by the Order.

Name(s) of the employer/employers who has/have been directed to recognize the Trade Union.

Registrar of Trade Unions for
the State of Bombay.

FORM "K".

[*See* regulation 21 (1).]

APPLICATION FOR REVOCATION OF RECOGNITION.

Address :—

Date :—

To

The Registrar of Trade Unions for the State of Bombay,
Bombay.

Dear Sir,

I/We have been duly authorised by $\frac{\text{Employer}}{\text{Union}}$ to inform you that the recognition granted to ..... union.....by .....under the memorandum of agreement dated ..... may please be treated as revoked with effect from ..... 19 .

Yours faithfully,

Signature(s) and designation(s) of Applicant(s).

FORM "L".

(*See* regulation 24.)

FORM OF NOTICE TO TRADE UNION REGARDING WITHDRAWAL OF RECOGNITION.

Whereas an application has been made by.....for withdrawal of recognition granted to your union by.....on the ground that.....Please take notice that the application will be taken up for hearing before me at.....on..... .....in.....You are hereby required to appear in person or through any other person or by a duly authorised counsel, attorney, advocate, pleader or a representative, as the case may be, at the aforesaid time and place and to show cause, if any, why the application should not be granted.

Seal.

Judge,
Labour Court.

No.

Office of the Labour Court,
.....day of.....19

To

FORM "M".

(*See* regulation 25.)

RETURN TO BE FORWARDED TO THE REGISTRAR OF TRADE UNIONS FOR THE STATE OF BOMBAY.

(1) Name of the Union .....

(2) Address.....

(3) Registration No.....

Date of .....

(4) Name (s) of the employer/employers by whom recognised .....
.....

(5) Date or dates* of recognition.....

(6)

	Membership in the employ of the employer who has granted recognition.	Total member. ship.
Number of members as at the beginning of the month ...		
Number of members who joined during the month ...		
Number of persons who have ceased to be members during the month.		
Number of members at the end of the month ...		

(7) Rate or rates of subscription .....

(8) Subscription collected during the month.....

		Rs. a. p.
For the current	Month	
	Quarter	
	Half year	
On account of arrears		
Total ...		

(9) The date on which meeting of the executive committee was last held.....
.....

(10) Interval at which a meeting of the executive committee is required to be held according to the constitution .....

Date.....

Signature of President, Secretary.

.....Union.

* If the union has been recognised by different employers on different dates.

SCHEDULE.

(*See* regulations 11, 14 and 18.)

TABLE OF FEES, CHARGES, ETC.

	Rs.	a.	p.
(1) Process fee for each witness summons	0	6	0
(2) Affidavit	0	8	0
(3) Type copying and comparing charges of certified copies of documents (per folio of 100 words) ...	0	6	0
(4) Inspection and search of documents in the possession of the Court (per day for each document) ...	0	12	0

N.B.—Fees for items 3 and 4 are payable in cash and in respect of other items, in court-fee stamps.